

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of TASHA HALL, JUSTIN HALL,  
ASHLEY HALL, THOMAS HALL, DONALD  
HALL, and DIANA HALL, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

SANDRA HALL,

Respondent-Appellant,

and

BURTON JUNIOR HALL,

Respondent.

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UNPUBLISHED

April 19, 2006

No. 266440

Hillsdale Circuit Court

Family Division

LC No. 02-000711-NA

Before: Murphy, P.J., and O'Connell and Murray, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(ii), (b)(iii), (c)(i), (c)(ii), (g), and (j). We affirm.

The children were removed in 2002 after their father, respondent-appellant's husband, Burton Hall, was arrested for sexually abusing their older half-sister. Subsequently, it was revealed that Burton Hall also sexually abused several of his own children and physically abused respondent-appellant and the minor children. The children have been in therapy to overcome the effects of the severe abuse. However, respondent-appellant wavered in her belief that the abuse really happened, causing the children much distress. Three times respondent-appellant was asked to discontinue family therapy because her attitude and statements were so upsetting to the children.

We have examined the record and find clear and convincing evidence to terminate respondent's parental rights to the minor children. MCR 3.977(J); *In re Trejo*, 462 Mich 341,

353; 612 NW2d 407 (2000). The trial court did not clearly err in finding that respondent-appellant failed to protect the children, failed to provide proper care and custody, and would be unable to do so within a reasonable time. There was also a reasonable likelihood that the children would suffer harm in respondent-appellant's care. Despite three years of services, including parenting classes; individual, family, group, and domestic violence counseling; budgeting advice; and in-home parent aides, respondent-appellant failed to improve sufficiently so that the children would not be at risk in her care. A parent must benefit sufficiently to be able to provide a home free of neglect and abuse. *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005). Here, evidence from the children's therapists and psychologists who examined the children and respondent-appellant supported the trial court's conclusions.

We also find no clear error in the trial court's conclusion that termination was not clearly contrary to the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 364-365. While most of the children did want to return to respondent-appellant's care, and she did diligently work towards reunification, these facts were not determinative. Respondent-appellant could not control the children and there was little to no improvement in her parenting skills or her psychological issues.

Affirmed.

/s/ William B. Murphy  
/s/ Peter D. O'Connell  
/s/ Christopher M. Murray